

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

FEB 14 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NICOLAS MCCARTHY; et al.,

Plaintiffs-Appellants,

v.

AMAZON.COM, INC.,

Defendant-Appellee.

No. 23-35584

D.C. No. 2:23-cv-00263-JLR  
Western District of Washington,  
Seattle

ORDER

Before: Lisa B. Fitzgerald, Appellate Commissioner.

The application for an exemption under Ninth Circuit Rule 46-5 (Docket Entry No. 37) is granted. Jordan M. Buckwald may represent appellee in this appeal.

The motion for certification of a question of state law to the Washington Supreme Court (Docket Entry No. 40) and any responses or replies thereto are referred to the panel assigned to decide the merits of this appeal.

The existing briefing schedule remains in effect.